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September 28, 1982

Richard J. Kissel
Martin, Craig, Chester & Sonnenschein
115 South LaSalle Street
Chicago, Illinois 60603

Re: Village of Sauget NPDES Permit Appeal, PCB 79-87

Dear Dick:

This letter is in response to your letter of September 23, 1982 amplifying the settlement discussions of September 21, 1982. Enclosed is a draft permit which incorporates a number of the changes proposed in your most recent letter. This draft permit is the basic draft permit that was transmitted to the permittee on May 22, 1981.

I agree that the May 22, 1981 draft permit should serve as the basis for identifying where the parties have reached agreement. To the extent that a complete resolution of this matter cannot be reached, however, it is our position that objections not raised in the petition for review are outside the scope of the scheduled hearing.

I will address the seven points in your letter in the order you raised them.

1. Address

The draft permit reflects an address at 10 Mobil Street, Sauget, Illinois.

2. Mass limitations and R76-21 effluent limitations

Mass limits included in the draft permit were computed on the basis of a hydraulic flow of 13 mgd. The Agency has reviewed the concentration limits in the permit on a parameter-by-parameter basis. The limitations for zinc, iron, and copper have been changed to reflect R76-21.

The mass limitation for nickel has been recalculated and the pH range adjusted from "5.0 to 10.0" to "6.0 to 10.0".

Attachment G, Paragraph 3 of the May 22, 1981 draft permit has been eliminated.

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3. Regional Plant Completion

The last two elements of the Attachment C schedule have been changed from June 30, 1983 to December 31, 1985. The second paragraph on the second page of the Attachment C has been changed as suggested in your September 23, 1982 letter.

The requirement for completion of the sewer system evaluation is intended to reflect the grant schedule.

4. Pretreatment Program

Activities 1 through 4 of the Attachment G pretreatment schedule have been changed to reflect the fact that these items have been submitted. This should not be deemed as an approval of these items having been satisfactorily completed. We have recently received (September 13) comments from Region V on these submittals. Our review should be completed within a month. A response should follow shortly thereafter, depending on resolution of issues with Region V.

The draft permit adjusts the compliance dates for Activities 5 through 9 to June 30, 1983. We realize that this may impose some hardship on the permittee, however, no extension past June 30, 1983 is currently possible. See 40 CFR 403.8 (b).

The Agency has declined to include the language you proposed concerning recognition of Sauget plant as a pretreatment facility. The Agency agrees that the Sauget plant will be a pretreatment facility under the Part 403 regulations once flows are diverted to the regional plant; the Agency declines to include the proposed language because the concept is already recognized on a state and federal basis. Attached is a letter from Charles Sutfin, Director of Region V's Water Division to Jack Molloy of Monsanto dated August 9, 1982. Please note the next to the last complete paragraph on page 2 of the letter which provides as follows:

In conclusion, this office is very interested in the Regional Treatment Plant being constructed. We feel the new plant will have the capability to remove and treat some of the toxicants which are presently entering the Village of Sauget's treatment plant. Also, the Sauget physical/chemical treatment facility provides a unique pretreatment feature that coordinates industrial pretreatment with the regional wastewater facility. The operational success of the Regional Treatment Plant, we believe, will depend primarily on the effectiveness of the combined capabilities of these treatment facilities and the overall effective management of the regional pretreatment program.

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